HOOVER GRAY KELLEY

The policy of investigating Congressmen, Senators and celebrities began with J. Edgar Hoover, who believed in passing on the gossip. His successor, Pat Gray, tried to stop the policy, and present Director Clarence Kelley probably will.

Congress Moves In On the FBI

by Lloyd Shearer

WASHINGTON, D.C.

In June, 1972, one month after Richard Nixon appointed L. Patrick Gray, an ex-Navy captain, Acting Director of the FBI, Gray perceived quickly that the FBI, particularly in the lower echelons, consisted overwhelmingly of dedicated, competent, industrious, prideful personnel.

He learned gradually, however, of some FBI practices which after study and examination, seemed to him unnecessary and personally distasteful. One was the FBI practice, originated in 1950, of collecting raw, unevaluated data on Congressmen, Senators, and Governors.

There was, for example, the FBI memorandum dated Jan. 13, 1972, (see below, left) entitled "Coming Elections," which was routed to FBI field offices throughout the country.

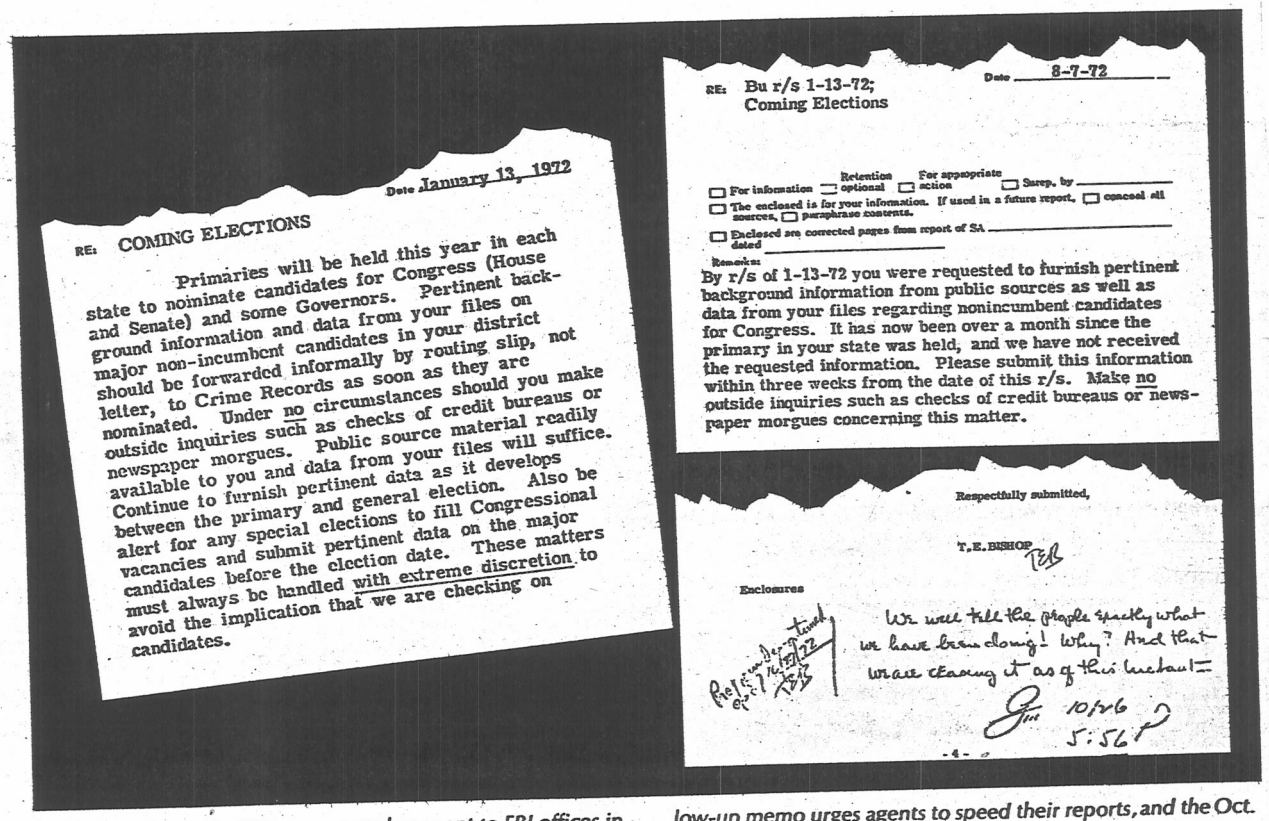
On Oct. 26, 1972, Gray became aware of the fact that an FBI agent, Lee Kias, had been openly investigating the background of John Michael Ryan, of Lorain, Ohio, a candidate for Congress from Ohio's 13th District. The story of Kias' investigation of the candidate appeared in the Elyria (Ohio) *Chronicle-Telegram* and subsequently in *The Washington Star-News*.

Gray wanted to know what was going on and was shown a written explanation of Oct. 26, 1972, from Tom Bishop, assistant director of the FBI's Crime Records division, to Mark Felt, Gray's deputy.

Bishop pointed out that field information on candidates was gathered in an attempt to "indicate a friendly or hostile attitude toward the FBI or law enforcement in general" and to point up "whether or not we should initiate a contact with the newly elected Congressman or Senator to explain our operations and offer our services where appropriate." Another reason, Bishop wrote, for gathering information on Congressmen and Senators was to protect them from possible assassination, kidnapping and assault.

Gray and his Senator

Gray confided to Sen. Lowell Weicker, a Republican of Connecticut, his home state, that he considered the practice of gathering data on Congressmen and Senators "completely unwarranted." Later, one of his deputies, Mark Felt, having learned of a paternity suit in Indiana, falsely involving Presidential candidate George McGovern, suggested



Date January 13, 1972

RE: COMING ELECTRONS

Primaries will be held this year in each state to nominate candidates for Congress (House and Senate) and some Governors. Pertinent background information and data from your files on major non-incumbent candidates in your district should be forwarded informally by routing slip, not letter, to Crime Records as soon as they are nominated. Under no circumstances should you make outside inquiries such as checks of credit bureaus or newspaper morgues. Public source material readily available to you and data from your files will suffice. Continue to furnish pertinent data as it develops between the primary and general election. Also be alert for any special elections to fill Congressional vacancies and submit pertinent data on the major candidates before the election date. These matters must always be handled with extreme discretion to avoid the implication that we are checking on candidates.

RE: Bu r/s 1-13-72;
Coming Elections

Date 8-7-72

☐ For information ☐ Retention optional ☐ For appropriate action ☐ Surep. by _____
☐ The enclosed is for your information. If used in a future report, ☐ conceal all sources, ☐ paraphrase contents.
☐ Enclosed are corrected pages from report of SA _____ dated _____
Remarks:
By r/s of 1-13-72 you were requested to furnish pertinent background information from public sources as well as data from your files regarding nonincumbent candidates for Congress. It has now been over a month since the primary in your state was held, and we have not received the requested information. Please submit this information within three weeks from the date of this r/s. Make no outside inquiries such as checks of credit bureaus or newspaper morgues concerning this matter.

Respectfully submitted,

T.E. BISHOP

Enclosures

Pat's reminder to Tamm 8/7/72 TEB

We will tell the people exactly what we have been doing! Why? And that we are ceasing it as of this instant.
10/26
5:56 P

-4-

The original Jan. 13, 1972, memorandum went to FBI offices in the field to gather information on candidates. The Aug. 7 follow-up memo urges agents to speed their reports, and the Oct. 26 memo from T.E. Bishop bears Pat Gray's handwritten note.

to Gray, "You know, you can use this tidbit about McGovern's illegitimate kid to make some brownie points at the White House."

Gray's reply, according to one Senator, was: "Bull----. You take this stuff back to wherever it came from and don't ever let me see anything like that again."

Gray felt so deeply about the unwarranted invasion of legislators' privacy that he ordered Bishop to discontinue the practice even though Bishop suggested "that we continue this program with regard to Congressional candidates but handle it on an oral basis only."

The boss' notation

Wrote Gray on Bishop's memorandum: "We will tell the people exactly what we have been doing! Why? And that we are ceasing it as of this instant. 10/26 5:56 P."

The next day Gray received the same memo from Bishop on which Bishop wrote: "Program discontinued, 10/27/72," followed by his initials T.E.B.

Whether the FBI ceased gathering information on members of the House and Senate on Oct. 27, 1972, or continued that practice afterwards, the Senate committee under Sen. Frank Church (D., Idaho) charged with investigating the FBI will have to determine.

What Pat Gray wanted to do at one point was to burn all the gossip on Senators, Congressmen, and celebrities the FBI had collected which had no purpose other than titillation. If a Congressman or a candidate or anyone was under investigation, then the FBI had every right and duty to check that person out in detail. But to gather random gossip on drinking habits, sex lives and social activities and store it for no relevant purpose, Gray considered a waste of money and manpower. He saw no point in its continuance.

When he suggested burning those files, possibly in public or in front of Gerald Ford and Carl Albert of the House and Mike Mansfield and Hugh Scott of the Senate, his office of legal counsel, headed by Dwight Dalby, advised against it. The government's archivist also counseled against it, declaring that the files were government property.

Opinion from the field

As Pat Gray learned more of the FBI, its secrets, its tactics and its procedures, he suggested that a citizens' advisory committee be appointed to investigate the agency so that the people might also learn about the agency and its workings. His special agents in the various FBI field offices dissuaded him for a variety of reasons from appointing such a commission.

Now the Senate has chosen its own committee to do exactly what Pat Gray suggested almost 2½ years ago—to make the FBI more accountable to the people's representatives.